

including the "all errors" clause to cover amendments since filing of the original declaration.

Applicants' Reply

Applicants submit herewith a Supplemental Reissue Declaration that includes the "all errors clause." The Supplemental Declaration was executed and dated by three of the four inventors. The fourth inventor, Ying Li, cannot be reached. A Statement Of Facts Under 37 C.F.R § 1.47(a) stating the efforts undergone to contact and acquire Ying Li's execution of the declaration accompanies this Reply.

The Statement Of Facts Under 37 C.F.R § 1.47(a) fulfills all of the requirements of that rule: proof of the pertinent facts regarding the efforts to reach the nonsigning inventor and the last known address of the nonsigning inventor. The Statement Of Facts is also accompanied by the fee set forth in 37 C.F.R. § 1.17(h). The Statement is made by Kimberly Clinger, a person having firsthand knowledge of the facts recited therein. See MPEP § 409.03(d).

Accordingly, because three of the four inventors have executed and dated the declaration, and the execution of the declaration by the fourth inventor cannot be acquired as proven in the Statement Of Facts Under 37 C.F.R § 1.47(a), applicants respectfully submit that the Supplemental Reissue Declaration


complies with 37 C.F.R. § 1.175(b)(1) and overcomes the Examiner's rejection.

If, for some reason, the Supplemental Reissue Declaration and the Statement Of Facts Under 37 C.F.R § 1.47(a) do not overcome the Examiner's rejection, applicants respectfully request that the requirement that each inventor sign the Supplemental Reissue Declaration be suspended or waived under 37 C.F.R. § 1.183.

Conclusion

Applicants respectfully submit that the Supplemental Reissue Declaration complies with 37 C.F.R. § 1.175(b)(1) and that this reissue application is therefore in condition for allowance.

Respectfully submitted,



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